

**AN ORDINANCE
BY COUNCILMEMBERS CEASAR
C. MITCHELL, C. T. MARTIN, CLETA WINSLOW,
AND IVORY LEE YOUNG, JR., AS SUBSTITUTED
BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE**

05-O-1092

**AN ORDINANCE TO AMEND THE PRIVATE PROPERTY VENDING
ORDINANCE BY CREATING A NEW SECTION 30-1493 WHICH SHALL
EXEMPT THEREFROM, FLEA MARKET VENDORS WHO ENGAGE IN
CASUAL AND ISOLATED SALES ACTIVITIES; TO AMEND THE
DEFINITION OF PRIVATE PROPERTY VENDING; TO REPEAL
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, vending on private property in order to provide for the safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City wishes to exempt from its recently enacted private property flea market legislation those vendors who only casually vend at out-of-door flea markets; and

WHEREAS, the City wishes to correct the definition of *private property vending* to pertain to all flea market vendors, both indoor and outdoor, consistent with the existing definition of flea market.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

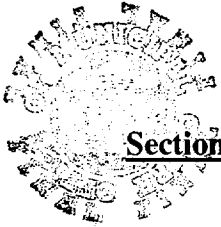
Section 1: That Chapter 30, Article XXIV, be amended to create a new Section 30-1493 to be entitled "Exemptions" and which states as follows:

Section 30-1493. Exemptions.

The provisions of Chapter 30, Article XXIV (Section 30-1461 et. seq.) shall not apply to any real person who engages only in outdoor sales of merchandise no more than two days in any one week period, but who otherwise meets the definition of *flea market vendor* as defined in Section 30-1461.

Section 2: That Chapter 30, Article XXIV, Section 30-1461 be amended by deleting the current definition of "private property vending" and replacing it with the following language:

Private property vending means vending activity conducted out-of-doors **or in a flea market** on private property not owned by the city or by any other governmental agency.



Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUL 05, 2005

JUL 14, 2005

RCS# 6810
7/05/05
3:03 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 5-19 EXCEPT 05-R-1140

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

CONSENT I

		7/05/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 05-O-1198 2. 05-O-1071 3. 05-O-1050 4. 05-O-1051 5. 05-O-1206 6. 04-O-1364 7. 05-O-1058 8. 05-O-1059 9. 05-O-1083 10. 05-O-1092 11. 05-R-0113 12. 05-R-1213 13. 05-R-1007 14. 05-R-1046 15. 05-R-1048 16. 05-R-1088 17. 05-R-1137 18. 05-R-1138 19. 05-R-1139 20. 05-R-1141 21. 05-R-1196 22. 05-R-1239 23. 05-R-1136 24. 05-R-1124 25. 05-R-1125 26. 05-R-1130 27. 05-R-1193 28. 05-R-1197 29. 05-R-1212 30. 05-R-1237	31. 05-R-1142 32. 05-R-1143 33. 05-R-1144 34. 05-R-1145 35. 05-R-1146 36. 05-R-1147 37. 05-R-1148 38. 05-R-1149 39. 05-R-1150 40. 05-R-1151 41. 05-R-1152 42. 05-R-1238	43. 05-R-1153 44. 05-R-1154 45. 05-R-1155 46. 05-R-1156 47. 05-R-1157 48. 05-R-1158 49. 05-R-1159 50. 05-R-1160 51. 05-R-1161 52. 05-R-1162 53. 05-R-1163 54. 05-R-1164 55. 05-R-1165 56. 05-R-1166 57. 05-R-1167 58. 05-R-1168 59. 05-R-1169 60. 05-R-1170 61. 05-R-1171 62. 05-R-1172 63. 05-R-1173 64. 05-R-1174 65. 05-R-1175 66. 05-R-1176 67. 05-R-1177 68. 05-R-1178 69. 05-R-1179 70. 05-R-1180 71. 05-R-1181 72. 05-R-1182 73. 05-R-1183 74. 05-R-1184 75. 05-R-1185 76. 05-R-1186 77. 05-R-1187 78. 05-R-1188 79. 05-R-1189 80. 05-R-1190 81. 05-R-1191

#13

05-0-1092

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMAN CÉSAR C. MITCHELL
C. T. Mitchell, City Clerk
AN ORDINANCE TO AMEND THE PRIVATE
PROPERTY VENDING ORDINANCE BY
CREATING A NEW SECTION 30-1493
WHICH SHALL EXEMPT THEREFROM,
FLEA MARKET VENDORS WHO ENGAGE
IN CASUAL AND ISOLATED SALES
ACTIVITIES OR WHO SELL PERSONAL
GOODS AND MERCHANDISE; TO REPEAL
CONFLICTING ORDINANCES; AND FOR
OTHER PURPOSES.

ADOPTED BY

JUL 05 2005

COUNCIL

SUBSTITUTE

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred

6/6/05

Referred To:

Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred To

PSA Committee

6/14/05 Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

PSA Committee

6/23/05 Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JUL 05 2005

JUL 05 2005

CERTIFIED
Paul Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 14 2005

WITHOUT SIGNATURE
BY OPERATION OF LAW